

32692

Customer Number

PATENT  
Docket No.: 58327US004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PAUL D. GRAHAM, PETER T. ELLIOTT  
and KEVIN G. GALLAGHER

Serial No.: 10/799,960  
Filed: March 12, 2004

For: METHOD OF TATTOO  
REMOVAL

Group Art Unit: 3739

Examiner:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date August 12, 2004

Signature Judy L. Hansen  
Judy L. Hansen

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

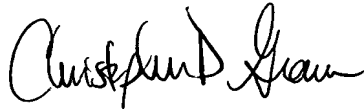
Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

08/19/2004 WABDELRI 00000114 133723 1075...  
01 FC:1206 180.00 Df

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

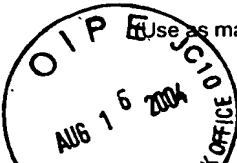
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher D. Gram". The signature is fluid and cursive, with the first name "Christopher" being more prominent than the last name "Gram".

CHRISTOPHER D. GRAM  
Registration No. 43,643  
Attorney for Applicants

CDG:jlh/58327US004 IDS  
Office of Intellectual Property Counsel  
3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
(651) 733-1507  
Facsimile: (651) 736-3833

Dated: *August 12, 2004*

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

Use as many sheets as necessary)  
Page 1 of 6

U.S. Patent Documents					
Exam. Init.*	Cite No.	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Doc. Number-(Kind Code if Known)			
	A1	US- 4,689,338	08-25-1987	Gerster	
	A2	US- 4,698,348	10-06-1987	Gerster	
	A3	US- 4,929,624	05-29-1990	Gerster et al.	
	A4	US- 4,988,815	01-29-1991	Andre et al.	
	A5	US- 5,037,986	08-06-1991	Gerster	
	A6	US- 5,175,296	12-29-1992	Gerster	
	A7	US- 5,238,944	08-24-1993	Wick et al.	
	A8	US- 5,266,575	11-30-1993	Gerster et al.	
	A9	US- 5,268,376	12-07-1993	Gerster	
	A10	US- 5,346,905	09-13-1994	Gerster	
	A11	US- 5,352,784	10-04-1994	Nikolaides et al.	
	A12	US- 5,367,076	11-22-1994	Gerster	
	A13	US- 5,376,501	12-27-1994	Mariën et al.	
	A14	US- 5,389,640	02-14-1995	Gerster et al.	
	A15	US- 5,395,937	03-07-1995	Nikolaides et al.	
	A16	US- 5,446,153	08-29-1995	Lindstrom et al.	
	A17	US- 5,482,936	01-09-1996	Lindstrom	
	A18	US- 5,494,916	02-27-1996	Lindstrom et al.	
	A19	US- 5,525,612	06-11-1996	Gerster	
	A20	US- 5,605,899	02-25-1997	Gerster et al.	
	A21	US- 5,693,811	12-02-1997	Lindstrom	
	A22	US- 5,741,908	04-21-1998	Gerster et al.	
	A23	US- 5,756,747	05-26-1998	Gerster	
	A24	US- 5,939,090	08-17-1999	Beaurline et al.	
	A25	US- 6,028,076	02-22-2000	Hirota et al.	
	A26	US- 6,039,969	03-21-2000	Tomai et al.	
	A27	US- 6,069,149	05-30-2000	Nanba et al.	
	A28	US- 6,083,505	07-04-2000	Miller et al.	

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 2 of 6	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

U.S. Patent Documents					
Exam. Init.*	Cite No.	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Doc. Number-(Kind Code if Known)			
	A29	US- 6,110,929	08-29-2000	Gerster et al.	
	A30	US- 6,113,918	09-05-2000	Johnson et al.	
	A31	US- 6,194,388 B1	02-27-2001	Krieg et al.	
	A32	US- 6,194,425 B1	02-27-2001	Gerster et al.	
	A33	US- 6,200,592 B1	03-13-2001	Tomai et al.	
	A34	US- 6,207,646 B1	03-27-2001	Krieg et al.	
	A35	US- 6,239,116 B1	05-29-2001	Krieg et al.	
	A36	US- 6,245,776 B1	06-12-2001	Skwierczynski et al.	
	A37	US- 6,303,347 B1	10-16-2001	Johnson et al.	
	A38	US- 6,323,200 B1	11-27-2001	Gerster et al.	
	A39	US- 6,329,381 B1	12-11-2001	Kurimoto et al.	
	A40	US- 6,331,539 B1	12-18-2001	Crooks et al.	
	A41	US- 6,339,068 B1	01-15-2002	Krieg et al.	
	A42	US- 6,376,501 B1	04-23-2002	Isobe et al.	
	A43	US- 6,376,669 B1	04-23-2002	Rice et al.	
	A44	US- 6,387,938 B1	05-14-2002	Mizuguchi et al.	
	A45	US- 6,406,705 B1	06-18-2002	Davis et al.	
	A46	US- 6,426,334 B1	07-30-2002	Agrawal et al.	
	A47	US- 6,440,992 B1	08-27-2002	Gerster et al.	
	A48	US- 6,476,000 B1	11-05-2002	Agrawal	
	A49	US- 6,451,810 B1	09-17-2002	Coleman et al.	
	A50	US- 6,514,985 B1	02-04-2003	Gerster et al.	
	A51	US- 6,518,265 B1	02-11-2003	Kato et al.	
	A52	US- 6,518,280 B2	02-11-2003	Gerster et al.	
	A53	US- 6,525,028 B1	02-25-2003	Johnson et al.	
	A54	US- 6,525,064 B1	02-25-2003	Dellaria et al.	
	A55	US- 6,541,485 B1	04-01-2003	Crooks et al.	
	A56	US- 6,545,016 B1	04-08-2003	Dellaria et al.	

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 3 of 6	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

U.S. Patent Documents					
Exam. Init.*	Cite No.	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Doc. Number-(Kind Code if Known)			
	A57	US- 6,545,017 B1	04-08-2003	Dellaria et al.	
	A58	US- 6,558,951 B1	05-06-2003	Tomai et al.	
	A59	US- 6,573,273 B1	06-03-2003	Crooks et al.	
	A60	US- 6,649,172 B2	11-18-2003	Johnson	
	A61	US- 6,656,938 B2	12-02-2003	Crooks et al.	
	A62	US- 6,660,735 B2	12-09-2003	Crooks et al.	
	A63	US- 6,660,747 B2	12-09-2003	Crooks et al.	
	A64	US- 6,664,260 B2	12-16-2003	Charles et al.	
	A65	US- 6,664,264 B2	12-16-2003	Dellaria et al.	
	A66	US- 6,664,265 B2	12-16-2003	Crooks et al.	
	A67	US- 6,667,312 B2	12-23-2003	Bonk et al.	
	A68	US- 6,670,372 B2	12-30-2003	Charles et al.	
	A69	US- 6,677,347 B2	01-13-2004	Crooks et al.	
	A70	US- 6,677,348 B2	01-13-2004	Heppner et al.	
	A71	US- 6,677,349 B1	01-13-2004	Griesgraber	
	A72	US- 6,683,088 B2	01-27-2004	Crooks et al.	
	A73	US- 2002/0016332 A1	02-07-2002	Slade	
	A74	US- 2002/0055517 A1	05-09-2002	Smith	
	A75	US- 2002/0058674 A1	05-16-2002	Hedenstrom et al.	
	A76	US- 2002/0110840 A1	08-15-2002	Tomai et al.	
	A77	US- 2003/0133913 A1	07-17-2003	Tomai et al.	
	A78	US- 2003/0139364 A1	07-24-2003	Krieg et al.	
	A79	US- 2003/0144283 A1	07-31-2003	Coleman et al.	
	A80	US- 2003/0199461 A1	10-23-2003	Averett et al.	
	A81	US- 2004/0010007 A1	01-15-2004	Dellaria et al.	
	A82	US- 2004/0014779 A1	01-22-04	Gorden et al.	

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 4 of 6	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

Foreign Patent Documents							
Exam. Init.*	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation (Check if yes)
		Ctry. Code	Number-KindCode (if known)				
	B1	EP	0 394 026	10-24-1990			X
	B2	EP	1 104 764 A1	06-06-2001			X
	B3	JP	9-208584	08-12-1997			
	B4	JP	11-80156	03-26-1999	(translation only)		X
	B5	JP	11-222432	08-17-1999			X
	B6	JP	2000-247884 (abstract only)	09-12-2000			X
	B7	WO	00/47719 A2	08-17-2000			X
	B8	WO	00/75304 A1	12-14-2000			X
	B9	WO	00/76505 A1	12-21-2000			X
	B10	WO	00/76518A1	12-21-2000			X
	B11	WO	01/74343 A2	10-11-2001			X
	B12	WO	02/36592 A1	05-10-2002			X
	B13	WO	02/46188 A2	06-13-2002			X
	B14	WO	02/46189 A2	06-13-2002			X
	B15	WO	02/46190 A2	06-13-2002			X
	B16	WO	02/46191 A2	06-13-2002			X
	B17	WO	02/46192 A2	06-13-2002			X
	B18	WO	02/46193 A2	06-13-2002			X
	B19	WO	02/46194 A2	06-13-2002			X
	B20	WO	02/46749 A2	06-13-2002			X
	B21	WO	02/085905 A1	10-31-2002			
	B22	WO	02/102377 A1	12-27-2002			X
	B23	WO	03/020889 A2	03-13-2003			X
	B24	WO	03/043572 A2	05-30-2003			X
	B25	WO	03/045391 A1	06-05-2003			X
	B26	WO	03/103584 A2	12-18-2003			X

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 5 of 6	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Testerman, et al., "Cytokine Induction by the Immunomodulators Imiquimod and S-27609", <u>Journal of Leukocyte Biology</u> , Volume 58, pp. 365-372, September 1995.
	C2	Chollet, et al, "Development of a Topically Active Imiquimod Formulation", <u>Pharmaceutical Development and Technology</u> , 4(1), pp 35-43 (1999)
	C3	Brassard et al.; "Interferon- $\alpha$ as an immunotherapeutic protein"; <u>Journal of Leukocyte Biology</u> ; Vol. 71; April 2002; pgs. 565-581
	C4	Izumi et al.; "1H-imidazo[4,5-c]quinoline Derivatives as Novel Potent TNF- $\alpha$ Suppressors: Synthesis and Structure-Activity Relationship of 1-, 2-and 4-Substituted 1H-imidazo[4,5-c]quinolines or 1H-imidazo[4,5-c]pyridines"; <u>Bioorganic and Medicinal Chemistry</u> , Vol. 11, pp. 2541-2550 (2003).
	C5	Hornung et al., "Quantitative Expression of Toll-Like Receptor 1-10 mRNA in Cellular Subsets of Human Peripheral Blood Mononuclear Cells and Sensitivity to CpG Oligodeoxynucleotides", <u>The Journal of Immunology</u> , 2002, 168; pgs. 4531-4537.
	C6	Hemmi et al., "Small anti-viral compounds activate immune cells via the TLR7 MyD88-dependent Signaling pathway", <u>Nature Immunology</u> , vol. 3, no. 2; February 2002; pgs. 196-200.
	C7	Medzhitov, "Toll-Like Receptors and Innate Immunity", <u>Nature Reviews Immunology</u> , Vol. 1; November 2001, pgs. 135-145.
	C8	Jurk et al. "Human TLR7 and TLR8 independently confer responsiveness to the antiviral compound R-848", <u>Nature Immunology</u> , June 2002, vol. 3, no. 6; pg. 1.
	C9	Akira et al., "Toll-like receptors: critical proteins linking innate and acquired immunity", <u>Nature Immunology</u> , August 2001, vol. 2, no. 8; pgs. 675-680
	C10	Heil et al.; "Synthetic immunostimulatory compounds activate immune cells via TLR7 and TLR8"; 33th Annual Meeting of the Deutsche Gessellschaft für Immunologie, Marburg 2002 - Abstract C.6
	C11	Solis et al.; "Experimental Nonsurgical Tattoo Removal in a Guinea Pig Model with Topical Imiquimod and Tretinoin"; American Society for Dermatologic Surgery, Inc.; 28: 1 January 2002; pgs. 83-87
	C12	Ferguson et al.; "The Q-switched neodymium: YAG laser and tattoos: a microscopic analysis of laser-tattoo interactions"; <u>British Journal of Dermatology</u> ; 1997; 117: 405-410
	C13	Baumier et al.; "Q-Switch Laser and Tattoo Pigments: First Results of the Chemical and Photophysical Analysis of 41 Compounds"; <u>Lasers in Surgery and Medicine</u> ; 26: 13-21 (2000)
	C14	Patipa et al.; "Light and Electron Microscopic Findings with Permanent Eyeliner"; <u>Ophthalmology</u> ; October 1986; Vol. 93; Number 10; pgs. 1361-1365
	C15	Anderson et al.; "Selective Photothermolysis: Precise Microsurgery by Selective Absorption of Pulsed Radiation"; <u>Science</u> , Vol. 220; April 1983; pgs. 524-527
	C16	Rosenberg et al.; "Lasers in Aesthetic Surgery"; <u>Clinics in Plastic Surgery</u> ; Vol. 23; Number 1; January 1996; pgs. 29-48
	C17	Wheeland; "Clinical Uses of Lasers in Dermatology"; <u>Lasers in Surgery and Medicine</u> ; 16:2-23 (1995)

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 6 of 6	Application Number	10/799,960
	Filing Date	March 12, 2004
	In re Application of:	Paul D. Graham, Peter T. Elliott and Kevin G. Gallagher
	Art Unit	3739
	Examiner Name	Unknown
	Attorney Case Number	58327US004

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C18	Zelickson et al.; "Clinical, Histologic, and Ultrastructural Evaluation of Tattoos Treated With Three Laser Systems"; Lasers in Surgery and Medicine; 15:364-372 (1994)
	C19	Aghassi et al.; "Complications of Aesthetic Laser Surgery"; Annals of Plastic Surgery; Vol. 43; Number 5; November 1999; pgs. 560-569
	C20	Adrian et al.; "Laser Tattoo Removal"; Aesthetic Laser Surgery - Clinics in Plastic Surgery; Vol. 27; Number 2; April 2000; pgs. 181-192
	C21	Jimenez et al.; "Multiple Color Changes Following Laser Therapy of Cosmetic Tattoos"; Dermatol Surg.; 28:2:February 2002; pgs. 177-179
	C22	Armstrong et al.; "Motivation for Tattoo Removal"; Arch Dermatol; Vol. 132, April 1996; pgs. 412-416
	C23	Brown et al.; "Youth and Tattoos: What School Health Personnel Should Know."; Journal of School Health; 70; 9; 355; Nov. 2000; pgs. 26-29
	C24	Anderson; "Regarding Tattoos - Is That Sunlight, or an Oncoming Train at the End of the Tunnel?"; Arch Dermatol; Vol. 137, Feb. 2001; pgs. 210-212
	C25	Taylor et al.; "Light and Electron Microscopic Analysis of Tattoos Treated by Q-Switched Ruby Laser"; The Journal of Investigative Dermatology; Vol. 97 No. 1, July 1991; pgs. 131-136
	C26	Newspaper article entitled "Tattoo Undo"; Variety Section Star Tribune (Mpls-St. Paul); April 8, 2000; 4 pgs.

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	